

## **Assembly Bill No. 2264**

### **CHAPTER 767**

An act to add Section 25722.7 to the Public Resources Code, relating to state purchases.

[Approved by Governor September 29, 2006. Filed with  
Secretary of State September 29, 2006.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

**AB 2264, Pavley. Purchases: vehicles: state fleet.**

Existing law makes it the policy of the state to minimize the economic and environmental costs due to the use of petroleum-based fuels and other transportation fuels by state agencies. Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), the Department of General Services (department), and the State Air Resources Board, in consultation with other state agencies as specified, to develop and adopt fuel-efficiency specifications governing the purchase by the state of motor vehicles and replacement tires. Existing law requires the Energy Commission and the department, in developing the specifications, to jointly conduct a study to examine state vehicle purchasing patterns and to analyze the costs and benefits of reducing the energy consumption of the state fleet by no less than 10% on or before January 1, 2005.

Existing law required each state office, agency, and department, on or before December 31, 2005, to review its vehicle fleet and, upon finding it is fiscally prudent, cost effective, or otherwise in the public interest to do so, to dispose of nonessential sport utility vehicles and four-wheel drive trucks from its fleet and replace those vehicles with more fuel efficient front-wheel drive passenger cars and trucks.

This bill would require, on or before June 1, 2007, the department in consultation with the Energy Commission to establish a minimum fuel economy standard, as specified, for the purchase of passenger vehicles and light duty trucks for the state fleet that are powered solely by internal combustion engines utilizing fossil fuels. The bill would require that on or after January 1, 2008, new state fleet purchases of these vehicles by all state entities, as defined, would have to meet this minimum fuel economy standard. The bill would exempt authorized emergency vehicles and certain other identified vehicles from this requirement. The bill would also exempt vehicles modified for the purpose of providing services to disabled individuals, as specified, or as a reasonable accommodation to a disabled employee, as defined. The bill would exempt the University of California from its provisions, except to the extent that the Regents of the University of California, by appropriate resolution, make those provisions applicable.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) The United States dependence on foreign oil is becoming an increasing economic and national security problem.

(b) Raising the miles per gallon standard of cars by 2.7 miles would save enough oil to eliminate the United States oil imports from Iraq and Kuwait combined, and raising that standard to 7.6 miles per gallon would save enough oil to eliminate 100 percent of our gulf oil imports into this country.

(c) The average miles per gallon for 2004 model-year passenger vehicles and motor trucks is less than the average miles per gallon for new motor vehicles that were sold in the late 1980s.

(d) The automotive industry already produces a number of models of passenger vehicles that meet or exceed 40 miles per gallon.

(e) The State Energy Resources Conservation and Development Commission has recommended in its 2005 Integrated Energy Policy Report that the Department of General Services adopt a policy doubling the federal fuel economy standard by 2009.

SEC. 2. Section 25722.7 is added to the Public Resources Code, to read:

25722.7. (a) In order to further achieve the policy objectives set forth in Sections 25000.5, 25722, and 25722.5, on or before June 1, 2007, the Department of General Services in consultation with the State Energy Resources Conservation and Development Commission shall establish a minimum fuel economy standard that is above the standard, as it exists on January 1, 2007, established pursuant to Section 3620.1 of the State Administrative Manual, for the purchase of passenger vehicles and light duty trucks for the state fleet that are powered solely by internal combustion engines utilizing fossil fuels.

(b) On or after January 1, 2008, all new state fleet purchases of passenger vehicles and light duty trucks powered solely by internal combustion engines utilizing fossil fuels, by the Department of General Services and any other state entities shall meet the fuel economy standard established under subdivision (a).

(c) Authorized emergency vehicles, as defined in Section 165 of the Vehicle Code, and vehicles identified in paragraph (3) of subdivision (a) of Section 25722.5 are exempt from this section.

(d) Vehicles purchased, that are modified for the following purposes, are exempt from this section.

(1) To provide services by a state entity to an individual with a disability or a developmental disability, as defined under the statutes or regulations governing that state entity.

(2) As a reasonable accommodation for the known physical or mental disability, as defined in Section 12926 of the Government Code, of an employee.

(e) For purposes of this section, “state entities” includes all state departments, boards, commissions, programs, and other organizational units of the executive, legislative, and judicial branches of state government, the California Community Colleges, the California State University, and the University of California.

(f) No provision of this section shall apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make that provision applicable.